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SENATE COMMITTEE REPORT

FURTHER

4/26/89

DATE TURNED INTO OFFICE 1/15/90

Mr. President:

FINANCE Committee considered SB 225

access to criminal records; efd

and recommended

- replace with X CS SB 225 (Finance) )  same title
- or adopt \_\_\_\_\_ CS \_\_\_\_\_ )  new title
- attached amendment(s) and  technical title change (HB only)
- \_\_\_\_\_ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to \_\_\_\_\_

- FISCAL NOTE(S)  <sup>DOE; DPS</sup> zero  fiscal impact  appropriation no FN
- new  updated  previous DO Law 2/1/89
- same as previous fiscal note(s) published 4/26/89

MEMBERS SIGNING DO PASS

*[Handwritten signatures]*

\_\_\_\_\_

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OTHER RECOMMENDATIONS

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

*[Handwritten signature]*

Do PASS

Chair's signature and recommendation

Committee Backup attached

R/O SFC 1-15-90

STATE OF ALASKA  
1990 LEGISLATIVE SESSION

BILL VERSION: CSSC 225 (Fin)  
PUBLISH DATE: \_\_\_\_\_

### FISCAL NOTE

**REQUEST:**

Revision Date: \_\_\_\_\_  
Title: Access to Criminal Records

Agency Affected: Public Safety  
BRU: DPS Statewide Support

Sponsor: Senator Duncan  
Requestor: \_\_\_\_\_

Components: AK Criminal Records & ID

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0	0	0	0	0	0

<b>CAPITAL</b>	0	0	0	0	0	0
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<b>REVENUE</b>	0	0	0	0	0	0
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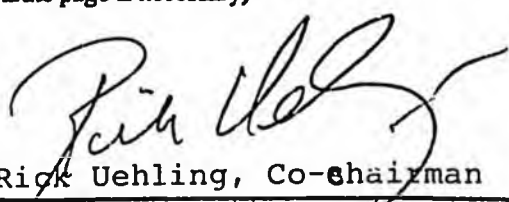
**FUNDING:** (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
<b>TOTAL</b>	0	0	0	0	0	0

**POSITIONS:**

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

**ANALYSIS :** (Attach a separate page if necessary)



Prepared by: Senator Rick Uehling, Co-Chairman  
Division: Senate Finance Committee

Phone: 465-4821  
Date: 1/15/90

Approved by Commissioner: \_\_\_\_\_  
Agency: \_\_\_\_\_

Date: \_\_\_\_\_

Distribution (by preparer) :

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

H/O SPC 1-15-90

STATE OF ALASKA  
1990 LEGISLATIVE SESSION

BILL VERSION: CSSB 225 (Fin)  
PUBLISH DATE: \_\_\_\_\_

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: Access to Criminal Records  
Sponsor: Senator Duncan  
Requestor: \_\_\_\_\_

Agency Affected: Education  
BRU: Education Finance & Support Services  
Components: District Support

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Senator Rick Uehling, Co-chairman  
Division: Senate Finance Committee

Phone: 465-4821  
Date: 1/15/90

Approved by Commissioner: \_\_\_\_\_  
Agency: \_\_\_\_\_

Date: \_\_\_\_\_

- Distribution (by preparer):
- Legislative Finance
  - Legislative Sponsor
  - Requestor
  - Office of Management and Budget
  - Impacted Agency(ies)

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_ Agency Affected: Department of Law  
 Title: "An Act relating to criminal records; and providing for an effective date." BRU: Prosecution  
 Sponsor: Senator Duncan Components: Criminal Justice  
 Requestor: Senate Judiciary litigation

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Please see the attached analysis.

Prepared by: Richard I. Pegues, Director Phone: 465-3672  
 Division: Administrative Services Date: April 12, 1989  
 Approved by Commissioner: Richard I. Pegues / FOR / Douglas B. Bailv, Attorney General Date: April 12, 1989  
 Agency: Department of Law

Distribution (by preparer):

Legislative Finance  
 Legislative Sponsor  
 Requestor  
 Office of Management and Budget  
 Impacted Agency(ies)

Changes in CSSB 225 (Fin) have no fiscal impact. This fiscal note is appropriate. 1/15/90 vaw

And there are no changes in succeeding years. 1/15/90 vaw

## CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. SB 225

This bill amends AS 12.65.035 to provide that employers may request state records of all criminal convictions of a person who holds or seeks employment in a position in which the person has or would have supervisory or disciplinary power over a minor. The bill also provides that records of criminal convictions may be requested for a person who holds or seeks employment for any position as an employee of a school district or regional educational attendance area.

Current law is limited to criminal records of convictions involving contributing to the delinquency of a minor and any sex crimes, and current law applies only to person who hold or seeks a position in which the person has or would have supervisory or disciplinary power over a minor.

The safekeeping and administration of criminal records are handled by the Department of Public Safety. Consequently, this bill will not have a fiscal impact on the Department of Law. Because the bill provides that the Department of Education shall request and receive records on behalf of school districts and regional educational attendance areas, there might be a fiscal impact on the Department of Education. Existing statute permits school districts and REAA's to request records directly from the Department of Public Safety.

R/O JFC 1-15-90

6-0451J

Ford  
1/15/90  
Duncan  
Adopted

Original sponsor(s): SEN. DUNCAN

1 IN THE SENATE

RY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 225 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to access by an interested person to  
7 criminal records of all felony convictions and all  
8 convictions involving contributing to the delinquency  
9 of a minor, misconduct involving a controlled sub-  
10 stance, and sex crimes, of certain persons; and  
11 providing for an effective date."

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

13 \* Section 1. AS 12.62.035(a) is amended to read:

14 (a) An [NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN] inter-  
15 ested person [AS DEFINED IN (e) OF THIS SECTION] may request from the  
16 Department of Public Safety [COMMISSION] records of all felony con-  
17 victions and all convictions involving contributing to the delinquency  
18 of a minor, misconduct involving a controlled substance, or [AND ANY]  
19 sex crimes, of a person who holds or applies for a position of employ-  
20 ment in which the person has or would have supervisory or disciplinary  
21 power over a minor or dependent adult. The Department of Public  
22 Safety [COMMISSION] shall disclose [AUTHORIZE THE DISCLOSURE OF] the  
23 information to the requesting interested person and shall provide a  
24 copy of the information to the person who is the subject of the re-  
25 quest.

26 \* Sec. 2. AS 12.62.035(e) is amended to read:

27 (e) As used in this section

28 (1) "contributing to the delinquency of a minor" means a  
29 conviction for a violation or attempted violations of AS 11.51.-

130(a)(1), (3), or (5); former AS 11.40.130; or the laws of another jurisdiction if the offense would have been a crime in this state under AS 11.51.130(a)(1), (3), or (5) or former AS 11.40.130 if committed in the state;

(2) "dependent adult" means an adult with a physical or mental disability who requires assistance or supervision with the activities of daily living;

(3) "interested person" means a corporation, company, partnership, firm, association, organization, business trust, or society, as well as a natural person, that employs or solicits the employment of a person to serve with or without compensation in a position in which the person has or would have supervisory or disciplinary power over a minor or dependent adult;

(4) "misconduct involving a controlled substance" means a conviction for a violation or attempted violation of AS 11.71.010 - 11.71.070, former AS 17.10.010, or former AS 17.12.010; or the laws of another jurisdiction if the offense would have been a crime in this state under one of the sections listed in this paragraph if committed in the state;

(5) [3] "sex crime" means a conviction for a violation or attempted violation of AS 11.41.410 - 11.41.470, AS 11.61.110(a)(7), or AS 11.66.100 - 11.66.130; former AS 11.15.120, 11.15.134, or 11.15.160; former AS 11.40.080, 11.40.110, 11.40.130, or 11.40.200 - 11.40.420; or the laws of another jurisdiction if the offense would have been a crime in this state under one of the sections listed in this paragraph if committed in the state.

\* Sec. 3. This Act takes effect immediately under AS 01.10.070(c).

JAN 12 1990

BILL NO: CSSB 225 (Jud)

DATE: January 12, 1990

TITLE: An Act relating to access to criminal records; and providing for an effective date.

CONTACT: Gayle A. Horetski  
Deputy Commissioner  
465-4322

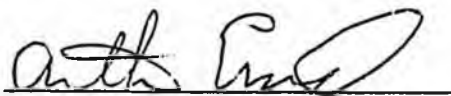
DEPARTMENT OF  
PUBLIC SAFETY

The Department of Public Safety supports this bill because it would correct deficiencies in present AS 12.62.035, which significantly limits conviction information which can be released. Under present law, an "interested person" can receive information about limited types of criminal convictions (e.g. contributing to the delinquency of a minor or sex crimes), of individuals employed or seeking employment in a position that would give the person supervisory or disciplinary power over minors. At the present time, many serious criminal convictions such as murder, kidnapping, arson, or drug offenses cannot be reported.

The Department urges the Legislature to consider amending CSSB 225 (Jud) to allow the release of all criminal conviction records to "interested persons." Presently, the Department must review conviction information to determine if it falls within the parameters of existing language; while the types of convictions which can be released have been expanded in CSSB 225 (Jud), screening of criminal history records is still required to determine if a given conviction may be reported.

The Department's position is that an "interested person" should be able to receive the complete criminal history of a person who will be working with minor children. The interested person is then able to carefully review the record to determine whether that criminal history record information should have a bearing on the person's employment, certification, licensing, or other benefit.

In summary, CSSB 225 (Jud) is an improvement to existing law, and is supported by the Department of Public Safety. We urge the Legislature to strengthen the law even further, however.



Arthur English  
Commissioner

DPS-POSITION PAPER CS(JUD) 1-11-90

# Alaska State Legislature



SENATOR JIM DUNCAN

P. O. Box V JUNEAU, ALASKA 99811-3100

(907) 465-4766

COMMITTEES:  
FINANCE  
VICE CHAIR --  
HEALTH EDUCATION  
& SOCIAL SERVICES  
BUDGET & AUDIT  
BANKING &  
ECONOMIC  
DEVELOPMENT

## MEMORANDUM

APRIL 26, 1989

TO: SENATOR RICK UEHLING, CO-CHAIR  
SENATE FINANCE COMMITTEE

FROM: SENATOR ~~JIM~~ DUNCAN

SUBJECT: CS SENATE BILL 225 (JUD), RELATING TO ACCESS TO  
CRIMINAL RECORDS

SB 225 EXPANDS THE CRIMES WHICH CAN BE REPORTED TO SCHOOL DISTRICTS AND OTHER EMPLOYERS TO INCLUDE ALL FELONY CONVICTIONS AND DRUG RELATED CRIMES. PRESENTLY STATE LAW ONLY ALLOWS THE CRIMES OF CONTRIBUTING TO THE DELINQUENCY OF A MINOR AND SEX CRIMES TO BE REPORTED TO POTENTIAL EMPLOYERS. THESE CRIMES CAN BE REVEALED ONLY IF A PERSON WOULD BE HIRED IN A POSITION WITH DIRECT SUPERVISORY OR DISCIPLINARY POWER OVER A MINOR.

I FEEL IT IS APPROPRIATE THAT THE CRIMINAL RECORDS OF ALL POTENTIAL EMPLOYEES BE AVAILABLE FOR REVIEW BY SCHOOL DISTRICTS AND OTHER EMPLOYERS. THIS LEGISLATION ADDRESSES A PROBLEM WHICH RECENTLY BECAME AN ISSUE IN JUNEAU. THE SITUATION DEALT WITH A PERSON WHO WAS HIRED AS A SUBSTITUTE TEACHER EVEN THOUGH THAT PERSON HAD PLED NO CONTEST TO DEALING COCAINE IN KETCHIKAN. IN CHECKING ON THAT PARTICULAR ISSUE, I FOUND A LOT OF AREAS WHICH NEEDED STRENGTHENING IN THE CURRENT SYSTEM OF RECORDS CHECKING.

SB 225 WILL ALLOW SCHOOL DISTRICTS TO CHECK THE CRIMINAL RECORDS ON ALL SCHOOL DISTRICT EMPLOYEES REGARDLESS OF THEIR SUPERVISORY ROLE OVER CHILDREN. I DO NOT FEEL THERE IS ANY REASON FOR US TO TAKE UNNECESSARY RISKS WHEN HIRING SCHOOL PERSONNEL.

SB 225 WILL ALSO REQUIRE THAT THE DEPARTMENT OF EDUCATION REVIEW CRIMINAL RECORDS AS A PART OF THE INITIAL TEACHER CERTIFICATION PROCESS. PRESENTLY, THE TEACHER CERTIFICATION SECTION IN THE DEPARTMENT OF EDUCATION IS RESPONSIBLE FOR REVIEWING AND CERTIFYING A TEACHER'S QUALIFICATIONS, BUT EACH SCHOOL DISTRICT MUST INDEPENDENTLY REQUEST A CHECK OF POTENTIAL TEACHERS' CRIMINAL RECORDS. THE INFORMATION I HAVE FROM THE

SENATE FINANCE COMMITTEE - SB 225  
APRIL 26, 1989  
PAGE 2

DEPARTMENT OF EDUCATION INDICATES THAT ONLY THE SEVEN LARGER SCHOOL DISTRICTS ROUTINELY DO RECORDS CHECKS ON TEACHERS PRIOR TO EMPLOYMENT.

SINCE IN MANY CASES TEACHERS APPLY FOR CERTIFICATION BY THE DEPARTMENT OF EDUCATION PRIOR TO APPLYING FOR A JOB AT A PARTICULAR SCHOOL DISTRICT THIS BILL ALSO WOULD REQUIRE THE DEPARTMENT OF EDUCATION A RECORDS CHECK AT THAT TIME. I BELIEVE THAT HAVING THE CRIMINAL RECORDS CHECK DONE CENTRALLY WILL ELIMINATE DUPLICATE CHECKS DONE BY SCHOOL DISTRICTS WHEN A TEACHER APPLIES AT MORE THAN ONE DISTRICT. IT WILL BE MORE EFFECTIVE, MORE EFFICIENT, AND LESS HASSLE FOR TEACHERS BECAUSE ONLY ONE RECORDS CHECK WILL BE NECESSARY.

I WOULD APPRECIATE YOUR SCHEDULING SB 225 FOR A HEARING AS SOON AS POSSIBLE.

ATTACHMENTS

January 5, 1989

RECEIVED JAN 16 1989

*Raymond  
attend - Jan 12  
Legislative*

Dear *Senator Duncan,*

Re: BACKGROUND CHECKS/QUALIFICATIONS OF SUBSTITUTE TEACHERS TO BE DISCUSSED WITH THE JUNEAU SCHOOL DISTRICT ON JANUARY 12, 4:30 P.M., IN THE SCHOOL DISTRICT CONFERENCE ROOM.

We are alarmed at a legal system and a school system which allowed a person who was indicted on three counts of selling cocaine to substitute teach in the classroom during November, 1988, at the Floyd Dryden Middle School.

Mr. Tony Cunningham was indicted for selling cocaine on May 9, 1988, in Ketchikan; he pleaded "no contest" on July 1, 1988; he is now serving time in the Ketchikan Correctional Center. His release agreement allowed him to be employed between his "no contest" plea on July 1, 1988, and his imprisonment on January 4, 1989. Mr. Cunningham's employment should not have involved our children. There is no guarantee to parents that Mr. Cunningham's involvement in cocaine did not extend to our children in the classroom. Our children have been the prime targets of drug dealers.

*→ convicted  
misconduct  
INV. control  
substance  
in 3RD  
degree  
Class B  
felony  
dismissed  
2 counts  
pled out to  
one.*

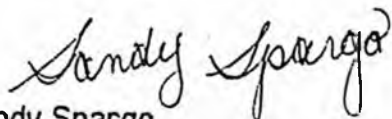
Parents want to have people of good character teaching their children, and a drug dealer does not qualify. The following questions arise:

1. Does the substitute teacher employment application form ask for criminal activity that is pending in our Alaska legal system? Does it ask for past criminal activity for which a sentence has been served? How does the school system treat each of these cases for employment?
2. Is each substitute teacher applicant interviewed? By whom?
3. Is there a background check with the Alaska State Troopers or the Juneau City Police?
4. If a person is hired to substitute teach, is there a clause to allow dismissal if a this person commits a crime during his/her employment?
5. If a child is influenced by a substitute teacher of criminal background, who is liable? How much responsibility does the school district hold for the hiring of its substitute teachers?
6. If a person has committed a drug-related activity, why not make a drug test a part of employment? Greens Creek Mining demands this of their employees for a safe work place. Is the safety of our children as important?

A meeting has been arranged with Dr. Bruce Johnson, Superintendent of Schools/Juneau, on January 12, 4:30 p.m., in the school district conference room at 1208 Glacier Avenue for the purpose of discussing what steps can be taken by the school district and by our legal system to prevent criminals from substitute teaching our children.

You are invited to attend this meeting. Please call me at 586-6122 in the evening to let me know if you will be attending this meeting. Your input would be very valuable to us.

Sincerely,



Sandy Spargo  
ALASKANS FOR DRUG-FREE YOUTH/JUNEAU  
965 Goldbelt  
Juneau, Alaska 99801

Louise Howeter  
JUSTICE FOR CHILDREN/JUNEAU  
P.O. Box 34285  
Juneau, Alaska 99803

BILL NO: SB 225

DATE: April 13, 1989

TITLE: An Act relating to access  
to criminal records; and  
providing for an effective  
date.

CONTACT: Gayle A. Horetski  
Deputy Commissioner  
465-4322

DEPARTMENT OF  
PUBLIC SAFETY

The Department of Public Safety supports SB 225 because it would allow the Department to report to an "interested person", as defined in AS 12.62.035(e), the existence of any criminal convictions of individuals employed or seeking employment in a position that would give the person supervisory or disciplinary power over minors. Under present law, an "interested person" can receive information about only limited types of criminal convictions. Many serious criminal convictions, including those for murder and kidnapping, cannot be reported under existing AS 12.62.035. As under existing law, it would be up to the employer to decide which criminal convictions disqualify a person from serving in a paid or unpaid position involving responsibility for minors.



Arthur English  
Commissioner

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**FISCAL NOTE**

**REQUEST:**

Revision Date: \_\_\_\_\_  
Title: Access to criminal records by the  
Department of Education  
Sponsor: Senate Judiciary  
Requestor: Senate Judiciary

Agency Affected: Education  
BRU: Education Finance and Support  
Services  
Components: District Support

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES		14.6	14.6	14.6	14.6	14.6
TRAVEL						
CONTRACTUAL		4.0	4.0	3.0	3.0	3.0
SUPPLIES		.5	.5	.5	.5	.5
EQUIPMENT		4.5				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>		<b>23.6</b>	<b>19.1</b>	<b>18.1</b>	<b>18.1</b>	<b>18.1</b>

CAPITAL						
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REVENUE						
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**FUNDING: (Thousands of Dollars)**

GENERAL FUND / PR		23.6	19.1	18.1	18.1	18.1
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

**POSITIONS:**

FULL-TIME						
PART-TIME		1	1	1	1	1
TEMPORARY						

**ANALYSIS : (Attach a separate page if necessary)**

Costs include one part time clerk typist, postage and phone costs, general office supplies, and minimal computer programming costs to upgrade system to integrate background check data into existing teacher certification data base. In the first year, purchase of one word processing terminal and file cabinet storage capacity is necessary.

Prepared by: Mary Hakala Phone: 465-2800  
Division: Commissioner's Office Date: 4/19/89

Approved by Commissioner: William G. Demmert Date: 4/19/89  
Agency: Education

**Distribution (by preparer):**

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

Position Title Clerk Typist III		No. of Positions 1	Range/Step 8B	Barg. Unit GGU
Time Status PT	Staff Months 6.0	Location Juneau		Election District
Type of Expenditure		Justification		
1	2	3		
Salary	9.8	The part time clerical position will handle administrative functions associated with implementation of SB 225, insuring that background checks are properly completed by each initial applicant for teacher certification in Alaska.		
Benefits	4.8			
Premium Pay				
Other				
<b>Total Personal Services</b>				
Travel				
Contractual				
Commodities				
Equipment				
Other				
<b>Total Cost</b>				
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004			
I-A Receipts	1006			
CIP Receipts	1061			
Other	GF/PR			14.6

**Request For  
New Position**

Agency Education  
 BRU Education Finance & Support Services  
 Component District Support

Page 2 of 2  
 Revised Date

**FY 90**

**FISCAL NOTE**

**REQUEST:**

Revision Date: \_\_\_\_\_  
Title: Access to Criminal Records  
Sponsor: Duncan  
Requestor: Senate Judiciary

Agency Affected: Education  
BRU: Education Finance and Support Services  
Components: District Support

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES		67.7	67.7	67.7	67.7	67.7
TRAVEL		.7	.7	.7	.7	.7
CONTRACTUAL		4.0	4.0	4.0	4.0	4.0
SUPPLIES		1.5	1.5	1.5	1.5	1.5
EQUIPMENT		7.1				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>-0-</b>	<b>81.0</b>	<b>73.9</b>	<b>73.9</b>	<b>73.9</b>	<b>73.9</b>

CAPITAL						
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REVENUE						
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**FUNDING: (Thousands of Dollars)**

GENERAL FUND	PR	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
GENERAL FUND	PR	-0-	81.0	73.9	73.9	73.9	73.9
FEDERAL FUNDS							
OTHER							
<b>TOTAL</b>							

**POSITIONS:**

FULL-TIME	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
FULL-TIME		2	2	2	2	2
PART-TIME						
TEMPORARY						

**ANALYSIS : (Attach a separate page if necessary)**

See attached analysis.

Prepared by: Mary Hakala Phone: 465-2800  
Division: Commissioner's Office Date: 4/13/89

Approved by Commissioner: William G. Demmert Date: 4/13/89  
Agency: Education

Distribution (by preparer):  
Legislative Finance  
Legislative Sponsor  
Requestor  
Office of Management and Budget  
Impacted Agency(ies)

DEPARTMENT OF EDUCATION  
FISCAL NOTE ANALYSIS  
4/13/89

SB 225: Access to criminal records

Personal Services

1 FT Education Associate I, Range 13A	\$37.8
1 FT Clerk Typist III, Range 8B	29.9
Subtotal	----- \$67.7

Travel

Travel reflects one trip to Anchorage to participate in the annual teacher certification workshop which provides information on the certification process and requirements to educators in the state. \$ .7

Contractual

Contractual costs include telephone and postage and telefacsimile transmission costs (4.0). \$4.0

Commodities

Supplies for staff positions and functions (stationary, duplication of necessary forms or procedural materials) \$1.5

Equipment

In year one only--two word processing terminals (\$6.0), two desks, chairs and one file cabinet (1.1). \$7.1

TOTAL, year one	=====	\$81.0
TOTAL, subsequent years		\$73.9

The proposed revenue source is GF/Program Receipts generated by teacher certification fees.

Position Title Education Associate I		No. of Positions 1	Range/Step 13A	Barg. Unit GGU
Time Status FT	Staff Months 12	Location Juneau		Election District
Justification				
The Education Associate I will handle transactions related to background criminal checks of school district personnel. Functions include tracking certification applications through steps in the background check process, monitor for clearance and follow up as necessary.				
Type of Expenditure		Amount		
1	2	3		
Salary	26.5			
Benefits	11.3			
Premium Pay				
Other				
Total Personal Services		37.8		
Travel				
Contractual				
Commodities				
Equipment				
Other				
Total Cost				
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004			
I-A Receipts	1006			
CIP Receipts	1061			
Other	Program Receipts	37.8		

**Request For  
New Position**

Agency Education  
 BRU Education Finance and Support  
 Component District Support  
Teacher Certification Unit

Page 3 of 4  
 Revised Date

**FY 90**

Position Title <b>Clerk Typist III</b>		No. of Positions <b>1</b>	Range/Step <b>8B</b>	Barg. Unit <b>GGU</b>
Time Status <b>FT</b>	Staff Months <b>12</b>	Location <b>Juneau</b>		Election District
<b>Type of Expenditure</b>		<b>Amount</b>		
<b>1</b>	<b>2</b>	<b>3</b>		
Salary	20.1			
Benefits	9.8			
Premium Pay				
Other				
<b>Total Personal Services</b>				
Travel				
Contractual				
Commodities				
Equipment				
Other				
<b>Total Cost</b>		<b>29.9</b>		
<b>Funding Source for Total Cost</b>				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004			
I-A Receipts	1006			
CIP Receipts	1061			
Other	Program Receipts	29.9		

**Justification**

The Clerk Typist III will be responsible for all clerical support functions related to the background check process. It is estimated that the paper flow and level of inquiry as to the state requirements will be substantial, necessitating a full time clerical position. This position will also perform data entry functions, updating data within the teacher certification computerized data base related to background checks.

**Request For  
New Position**

Agency Education  
 BRU Education Finance and Support  
 Component District Support  
Teacher Certification Unit

**FY 90**

Page 4 of 4  
 Revised Date

FISCAL NOTE

REQUEST:

Revision Date: 01/11/90 Agency Affected: Public Safety  
Title: Access to Criminal Records BRU: DPS Statewide Support  
Sponsor: Senator Duncan Component: AK Criminal Records & ID  
Requestor: Senate Finance

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	13.3	13.3	13.3	13.3	13.3	13.3
TRAVEL						
CONTRACTUAL	1.8	.3	.3	.3	.3	.3
SUPPLIES						
EQUIPMENT	7.0					
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	22.1	13.6	13.6	13.6	13.6	13.6

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	22.1	13.6	13.6	13.6	13.6	13.6
FEDERAL FUNDS						
OTHER/PROG RCPT						
TOTAL	22.1	13.6	13.6	13.6	13.6	13.6

POSITIONS:

FULL-TIME						
PART-TIME	1	1	1	1	1	1
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

The Records and Identification Section operates the Alaska Automated Fingerprint Identification System (AAFIS) and maintains criminal history record information used by police and other criminal justice agencies. Because of the complexity of the research required to  
(Analysis continued on attached)

Prepared by: M.J. Clemens Phone: 465-4336  
Division: Administrative Services Date: 01/11/90

Approved by Commissioner: A.H. English Date: 1-11-90  
Agency: Department of Public Safety Page 1 of 4

*M.J. Clemens*  
1/11/90

FISCAL NOTE - CSSB 225 (Jud)  
Department of Public Safety  
(Analysis, continued - Page 2 of 4)

process criminal history record checks under AS 12.62.035, a part-time Clerk IV will be required to handle the 2,000 requests expected from the Department of Education for initial certifications each year. Existing AAFIS staff are not able to keep current with their present workload. Without additional staff to accommodate the predicted increase in workload, a criminal history records check for applicants will be delayed by several more months.

The provision of a criminal history record to a law enforcement or criminal justice agency is a relatively quick and simple process. Requests for records under AS 12.62.035 are much more time consuming and complicated to process.

The processing of a request for information under AS 12.62.035 begins with the interested party (or agency) sending a letter to Records and Identification explaining how they meet the definition of an "interested person" under the statute and requesting that records checks be performed on certain individuals. Two completed fingerprint cards, showing the interested party as the contributor, are submitted for processing.

The submitted fingerprint cards are searched in AAFIS for the existence of a fingerprint record. If a fingerprint record is identified, the Alaska Public Safety Information Network (APSIN) record for that person is then checked for the existence of a criminal history. The second fingerprint card, accompanied by a money order for \$14, (\$20 as of 3/1/90) is submitted by mail to the FBI Identification Division to check for an out-of-state criminal history.

Upon enactment of CSSB 225 (Jud), if an Alaskan criminal history arrest record was verified by fingerprints, it would be reviewed to determine if a felony or applicable misdemeanor conviction resulted. If so, the interested party and the applicant would be notified of the charge and disposition by mail. Unfortunately, about 25% of arrest records in Alaska do not have disposition information. In these cases, the court records must be researched to determine the outcome of the case.

If the FBI fingerprint check results in the return of a "rap sheet", it must be carefully examined. Each arrest or offense reported must be checked for disposition information. A large proportion of the arrests shown on FBI rap sheets do not indicate a disposition. In this case the records division of the contributing state must be contacted by mail for disposition information.

Because of NLETS and NCIC regulations prohibiting the use of those systems for employment and licensing purposes, all of the contacts with out-of-state agencies must be conducted by mail. If a conviction is identified, both the interested party and the applicant would be notified of the findings by mail.

Department of Public Safety  
FISCAL NOTE - CSSB 225 (Jud)  
(Analysis, continued - Page 3 of 4)

During the time that present AS 12.62.035 has been in effect, less than 1% of the criminal history record checks processed have resulted in convictions being reported to the interested party. However, about 11% of the records examined pursuant to requests under AS 12.62.035 contained serious criminal violations not reportable under present language. These have included convictions for attempted murder, felony assault, and drug sales.

Position Title Clerk IV		No. of Positions	Range/Step 9A	Barg. Unit G
Time Status PPT	Staff Months 8.32	Location Anchorage		Election District 7
Type of Expenditure		Justification		
1	2	3		
Salary*	14.4	Processing criminal history record checks under AS 12.62.035 involves actions by a Clerk II, AAFIS Operator I, Clerk IV, and AAFIS Operator II.		
Benefits*	5.5	The additional workload connected with CSSB 225 (Jud) will require the equivalent of a part-time position (22.0 hrs/week).		
Premium Pay (Included in Above)	//////	In spite of the immediate effective date of the bill, unless it becomes law early in the session, its program impact will not likely occur in FY90.		
Other	//////	If this bill becomes law and this position is not approved, backlogs will increase; "interested persons" will not receive timely responses to their requests for criminal history records checks.		
Total Personal Services	//////	13.3		
Travel				
Contractual	line hook up - \$1.5 Misc. - \$.3	1.8		
Commodities				
Equipment	Micro \$5.2 chair \$.8	7.0		
Other				
Total Cost		22.1		
Funding Source for Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004	22.1		
Program Receipts/GF	1006			
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS.				

REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety  
 BRU DPS Statewide Support  
 COMPONENT AK Criminal Records & ID

Page 4 of 4  
 Revised Date

FY 91

STATE OF ALASKA  
1989 LEGISLATIVE SESSION

BILL VERSION: CSSB 225 (Jud) DRAFT  
PUBLISH DATE: 4/26/89

FISCAL NOTE

REQUEST:

Revision Date: 4/21/89  
Title: Access to Criminal Records

Agency Affected: Public Safety  
BRU: DPS Administration

Sponsor: Senator Duncan  
Requestor: Senate Judiciary

Component: Administrative Services

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES	2.2	13.3	13.3	13.3	13.3	13.3
TRAVEL						
CONTRACTUAL		1.8	.3	.3	.3	.3
SUPPLIES						
EQUIPMENT		7.0				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	2.2	22.1	13.6	13.6	13.6	13.6

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	2.2	22.1	13.6	13.6	13.6	13.6
FEDERAL FUNDS						
OTHER						
TOTAL	2.2	22.1	13.6	13.6	13.6	13.6

POSITIONS:

FULL-TIME						
PART-TIME	0	1	1	1	1	1
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

The Records and Identification Section operates the Alaska Automated Fingerprint Identification System (AAFIS) and maintains criminal history record information used by police and other criminal justice agencies. Because of the complexity of the research required to process criminal history record checks under AS 12.62.035, a part-time Clerk IV will be required to handle the 2,000 requests expected from the Department of Education for initial certifications each year. Existing AAFIS staff are not able to keep current with their present workload. Without additional staff to accommodate the predicted increase in workload, a criminal history record check for applicants may be delayed by several months.

(Analysis continued on attached)

*JAC*  
*4/21/89*

Prepared by: M. J. Clemens  
Division: Administrative Services

Phone: 465-4336  
Date: 4/21/89

Approved by Commissioner: Y.G.H. Arthur English  
Agency: Department of Public Safety

Date: 4/21/89

Department of Public Safety  
FISCAL NOTE - CSSB 225 (Jud) DRAFT  
(Analysis, continued - Page 2 of 4)

The Department of Education has estimated that they will submit about 2,000 requests for criminal history record checks annually in connection with the initial certification of school teachers in Alaska. These records checks are in addition to those requested by other interested persons under AS 12.62.035, such as the employers of day care providers. The provision of a criminal history record to a law enforcement or criminal justice agency is a relatively quick and simple process. Requests for records under AS 12.62.035 are much more time consuming and complicated to process.

The processing of a request for information under AS 12.62.035 begins with the interested party (or agency) sending a letter to Records and Identification explaining how they meet the definition of an "interested person" under the statute and requesting that records checks be performed on certain individuals. Two completed fingerprint cards, showing the interested party as the contributor, are submitted for processing.

The submitted fingerprint cards are searched in AAFIS for the existence of a fingerprint record. If a fingerprint record is identified, the Alaska Public Safety Information Network (APSIN) record for that person is then checked for the existence of a criminal history. The second fingerprint card, accompanied by a money order for \$14, is submitted by mail to the FBI Identification Division to check for an out-of-state criminal history.

Upon enactment of CSSB 225 (Jud), if an Alaskan criminal history arrest record was verified by fingerprints, it would be reviewed to determine if a felony or applicable misdemeanor conviction resulted. If so, the interested party and the applicant would be notified of the charge and disposition by mail. Unfortunately, about 25% of arrest records in Alaska do not have disposition information. In these cases, the court records must be researched to determine the outcome of the case. This can be a very time consuming process.

If the FBI fingerprint check results in the return of a "rap sheet", it must be carefully examined. Each arrest or offense reported must be checked for disposition information. A large proportion of the arrests shown on FBI rap sheets do not indicate a disposition. In this case the records division of the contributing state must be contacted by mail for disposition information.

Because of NLETS and NCIC regulations prohibiting the use of those systems for employment and licensing purposes, all of the contacts with out-of-state agencies must be conducted by mail. If a conviction is identified both the interested party and the applicant would be notified of the findings by mail. The fingerprint cards are returned to the contributor.

During the time that present AS 12.62.035 has been in effect, less than 1% of the criminal history record checks processed have resulted in convictions being reported to the interested party. However, about 11% of the records examined pursuant to requests under AS 12.62.035 contained serious criminal violations not reportable under present language. These have included convictions for attempted murder, felony assault, and drug sales.

Department of Public Safety  
 FISCAL NOTE - CSSB 225 (Jud) DRAFT  
 (Analysis, continued - Page 3 of 4)

Releasing conviction information as prescribed by CSSB 225 (Jud) will change the search time required in gathering and reporting arrest with convictions information to interested parties. The following are the computations for the times required for out-of-state checks:

- 1) 18% of the people checked have FBI rap sheets with arrest information.
- 2) 57% of these out-of-state records do not have disposition information.
- 3) Of the 2,000 estimated initial certification, 360 will have FBI rap sheets.
- 4) 15% are felonies and 60% of these do not have disposition information.
- 5) Therefore,  $((360 \times .15) \times .60) = 32$  people with felony records that will require extensive researching.
- 6) 39% of the charges on the FBI rap sheet are misdemeanors.
- 7) 49% of these do not have disposition information, and 12% of the 49% involve drugs, contributing to the delinquency of a minor, and sex charges.
- 8) Therefore,  $( (360 \times .39) \times .12 \times .49) = 8$  people that will require extensive researching.
- 9) 46% we are not able to determine if the charge on the FBI rap sheet is a felony or misdemeanor. Of these, 63% do not have disposition information.
- 10) The following applies,  $((360 \times .46) \times .63) = 104$  people requiring extensive researching.

Function	# Cards	Seconds	Hours
Search AAFIS	2,000	540	300
APSIN Search	2,000	96	53
AK Dispo Research	55*	4,080	62
Sort and Mail	4,000	14	16
Extensive research	144**	9,060	362
Research FBI rcds	61***	1,800	31
Transfer FBI raps	205	189	11
Sort other FBI	1,795	64	32
Total processing time			867

\*  $(2,000 \times .11) \times .25 = 55$   
 \*\*  $32 + 8 + 104 = 144$   
 \*\*\*  $(2,000 \times .18) = 360 \times .57 = 205 - 144 = 61$

Position Title	Clerk IV		No. of Positions	Range/Step	9A	Barg. Unit	G
Time Status	PPT	Staff Months	5.5		Location	Anchorage Election District 7	
Type of Expenditure				Amount			
1		2		3			
Salary*		9.5		////////////////////			
Benefits*		3.8		////////////////////			
Premium Pay (Included in Above)		////////////////////		////////////////////			
Other		////////////////////		////////////////////			
Total Personal Services		////////////////////		13.3			
Travel							
Contractual		line hook up - \$1.5		1.8			
Commodities							
Equipment		Micro \$6.2 chair \$ .8		7.0			
Other							
Total Cost		22.1					
Funding Source for Total Cost							
Federal Receipts		1002					
G.F. Match		1003					
General Fund		1004		22.1			
Program Receipts/GF		1005					
I-A Receipts		1007					
CIP Receipts		1061					
Other							
* Personal Services Salary and Benefits Costs are from PACS Scenario #2.							
Justification							
Processing criminal history record checks under AS 12.62.035 involves actions by a Clerk II, AAFIS Operator I, Clerk IV, and AAFIS Operator II.							
The additional workload connected with SB 225 will require the equivalent of a part-time position (17.0 hours/week).							
Initial furniture and equipment costs would not be needed in future years.							
Due to the immediate effective date of the bill, assuming it becomes law about May 1, two months of personal services would be needed to pay unbudgeted overtime to existing staff who would have to handle requests prior to classification, recruitment, selection, and training of a new position.							
Without approval of this position, backlogs will develop; "interested persons" will not receive timely responses to their requests for criminal history records checks.							

REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety  
BRU DPS Administration  
COMPONENT Administrative Services

Page 4 of 4  
Revised Date

FY 90

STATE OF ALASKA  
1989 LEGISLATIVE SESSION

BILL VERSION: SB 225 (c)  
PUBLISH DATE: 4/26/89

AD

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: Access to Criminal Records  
Sponsor: Senator Duncan  
Requestor: Senate Judiciary

Agency Affected: Public Safety  
BRU: DPS Administration  
Component: Administrative Services

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES	3.0	18.2	18.2	18.2	18.2	18.2
TRAVEL						
CONTRACTUAL		1.8	.3	.3	.3	.3
SUPPLIES						
EQUIPMENT		7.0				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	3.0	27.0	18.5	18.5	18.5	18.5

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	3.0	27.0	18.5	18.5	18.5	18.5
FEDERAL FUNDS						
OTHER						
TOTAL	3.0	27.0	18.5	18.5	18.5	18.5

POSITIONS:

FULL-TIME						
PART-TIME	0	1	1	1	1	1
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

SB 225 will substantially increase the workload of the Records and Identification Section, which operates the Alaska Automated Fingerprint Identification System (AAFIS). Because of the complexity of the research required to process criminal history record checks under AS 12.62.035, a part-time Clerk IV will be required to handle the 4,500 requests expected from the Department of Education annually.

Prepared by: M. J. Clemens Phone: 465-4336  
Division: Administrative Services Date: 4/12/89

Approved by Commissioner: Arthur English Date: 4/12/89  
Agency: Department of Public Safety

Department of Public Safety  
SB 225 FISCAL NOTE  
(Analysis, continued - Page 2)

The Department of Education has estimated that they will submit about 4,500 requests for criminal history record checks annually in connection with the certification and recertification of school teachers in Alaska. These records checks are in addition to those requested by other interested persons under AS 12.62.035, such as the employers of day care providers. The provision of a criminal history record to a law enforcement or criminal justice agency is a relatively quick and simple process. Requests for records under AS 12.62.035 are much more time consuming and complicated to process.

The processing of a request for information under AS 12.62.035 begins with the interested party (or agency) sending a letter to Records and Identification explaining how they meet the definition of an "interested person" under the statute and requesting that records checks be performed on certain individuals. Two completed fingerprint cards, showing the interested party as the contributor, are submitted for processing.

The submitted fingerprint cards are searched in AAFIS for the existence of a fingerprint record. If a fingerprint record is identified, the Alaska Public Safety Information Network (APSIN) record for that person is then checked for the existence of a criminal history. The second fingerprint card, accompanied by a money order for \$14, is submitted by mail to the FBI Identification Division to check for an out-of-state criminal history.

Upon enactment of SB 225, if an Alaskan criminal history arrest record was verified by fingerprints, it would be reviewed to determine if a conviction resulted. If so, the interested party and the applicant would be notified of the charge and disposition by mail. Unfortunately, about 25% of arrest records in Alaska do not have disposition information. In these cases, the court records must be researched to determine the outcome of the case. This can be a very time consuming process.

If the FBI fingerprint check results in the return of a "rap sheet", it must be carefully examined. Each arrest or offense reported must be checked for disposition information. A large proportion of the arrests shown on FBI rap sheets do not indicate a disposition. In this case the records division of the contributing state must be contacted by mail for disposition information.

Because of NLETS and NCIC regulations prohibiting the use of those systems for employment and licensing purposes, all of the contacts with out-of-state agencies must be conducted by mail. If a conviction is identified both the interested party and the applicant would be notified of the findings by mail. The fingerprint cards are returned to the contributor.

During the time that present AS 12.62.035 has been in effect, less than 1% of the criminal history record checks processed have resulted in convictions being reported to the interested party. However, about 11% of the records examined pursuant to requests under AS 12.62.035 contained serious criminal violations not reportable under present language. These have included convictions for attempted murder, felony assault, and drug sales.

Department of Public Safety  
SB 225 FISCAL NOTE  
(Analysis, continued - Page 3)

Releasing all conviction information, as allowed by SB 225, is expected to reduce the amount of search time required to gather and report conviction information to interested parties from 151 minutes for out-of-state checks to about 30 minutes. The number of out-of-state checks found to have arrest information is about 18%. About 57% of the arrests on the FBI rap sheets do not show final disposition information. These out-of-state arrests will need to be researched to acquire the final disposition information. The information from the out-of-state agencies and the FBI rap sheet will have to be transferred to a form that will report only arrest with conviction information for mailing to the interested party and the applicant. The time required to conduct an in-state check is expected to decrease from 68 minutes to about 30 minutes. However, the number of state checks will increase considerably under the bill.

In summary, the number of out-of-state and in-state records that will require tracking, researching, and reporting will increase, but the amount of time required to conduct these tasks will decrease somewhat. Existing AAFIS staff are not able to keep up with their present workload. The primary objective of DPS's Records and Identification Section is to maintain and update criminal history record information used by police and other criminal justice agencies. While processing applicant criminal history record checks is an important function, it must take secondary priority to the Department's law enforcement mission. Without additional staff to accommodate the predicted increase in workload, the effectiveness of a criminal history records check for applicants would be diluted by substantial delays--which may reach several months.

At a minimum, an additional part-time clerk will be required to handle the increased workload expected to result from the passage of SB 225.

Position Title	Clerk IV		No. of Positions	Range/Step	9A	Barg. Unit	G	
Time Status	PPT	Staff Months	7.5		Location	Anchorage	Election District	7
Type of Expenditure				Amount				
1		2		3				
Salary*		13.0		////////////////////				
Benefits*		5.2		////////////////////				
Premium Pay (Included in Above)		////////////////////		////////////////////				
Other		////////////////////		////////////////////				
Total Personal Services		////////////////////		18.2				
Travel								
Contractual		line hook up - \$1.5		1.8				
Commodities								
Equipment		Micro \$6.2 chair \$.8		7.0				
Other								
Total Cost				27.0				
Funding Source for Total Cost								
Federal Receipts		1002						
G.F. Match		1003						
General Fund		1004		27.0				
Program Receipts/GF		1005						
I-A Receipts		1007						
CIP Receipts		1061						
Other								
* Personal Services Salary and Benefits Costs are from PACS Scenario #2.								
Justification								
Processing criminal history record checks under AS 12.62.035 involves actions by a Clerk II, AAFIS Operator I, Clerk IV, and AAFIS Operator II.								
The additional workload connected with SB 225 will require the equivalent of a part-time position (23.5 hours/week).								
Initial furniture and equipment costs would not be needed in future years.								
Due to the immediate effective date of the bill, assuming it becomes law about May 1, two months of personal services would be needed to pay unbudgeted overtime to existing staff who would have to handle requests prior to classification, recruitment, selection, and training of a new position.								
Without approval of this position, backlogs will develop; "interested persons" will not receive timely responses to their requests for criminal history records checks.								

REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety  
 BRU DPS Administration  
 COMPONENT Administrative Services

Page 4 of 4  
 Revised Date

FY 90

BILL NO: SB 225

DATE: April 13, 1989

TITLE: An Act relating to access to criminal records; and providing for an effective date.

CONTACT: Gayle A. Horetski  
Deputy Commissioner  
465-4322

DEPARTMENT OF  
PUBLIC SAFETY

The Department of Public Safety supports SB 225 because it would allow the Department to report to an "interested person", as defined in AS 12.62.035(e), the existence of any criminal convictions of individuals employed or seeking employment in a position that would give the person supervisory or disciplinary power over minors. Under present law, an "interested person" can receive information about only limited types of criminal convictions. Many serious criminal convictions, including those for murder and kidnapping, cannot be reported under existing AS 12.62.035. As under existing law, it would be up to the employer to decide which criminal convictions disqualify a person from serving in a paid or unpaid position involving responsibility for minors.



Arthur English  
Commissioner

11-11-89